

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

UNITED STATES OF AMERICA)	
)	Case No. 4:20-cr-13
v.)	
)	Judge Travis R. McDonough
JAMES MICHAEL FOOTE)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 34) recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One of the one-count Indictment; (2) accept Defendant's guilty plea to Count One of the one-count Indictment; (3) adjudicate Defendant guilty of embezzlement and theft of labor union assets in violation of 29 U.S.C. § 501(c); and (4) order that Defendant remain out of custody subject to the Order Setting Conditions of Release (Doc. 13) pending sentencing or further order of this Court.

Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Count One of the one-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the one-count Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of embezzlement and theft of labor union assets in violation of 29 U.S.C. § 501(c); and
4. Defendant **SHALL REMAIN** out of custody subject to the Order Setting Conditions of Release (Doc. 13) pending further order of this Court or sentencing which is scheduled to take place on **February 11, 2022, at 9:00 a.m.**, before the undersigned.

SO ORDERED.

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**